

ZB# 06-35

Green Garden

4-2-21.12

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553

Granted 7-10-06

06-35

Green Garden - Sign
1716 Windsor Hwy (4-2-21.12)
(Sign Language)

June 27, 2006 Publication

P.O. # 45362

NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 4-2-21.12)

In the Matter of the Application of
SIGN LANGUAGE (for Green Garden)

MEMORANDUM OF
DECISION GRANTING

SIGN

CASE #06-35

WHEREAS, Tom Walsh represented the , owner(s) of 176 Windsor Highway , New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for 5.33 ft Width for proposed wall sign at 176 Windsor Highway in a PUD Zone (4-2-21.12)

WHEREAS, a public hearing was held on July 10, 2006 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared on behalf of this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor of or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Official Town Newspaper, also as required by law.
2. The Evidence presented by the Applicant showed that:
 - (a) The property is a commercial property located in a neighborhood of mixed commercial and residential properties in a/an PUD zone.
 - (b) The sign does not interfere with the safe operation of motor vehicles on the adjacent roadway.
 - (c) The sign is not built on top of, nor does it interfere with, any easements, including water, sewer or electric easements

- (d) In constructing the sign the applicant did not remove any trees or substantial vegetation.
- (e) The sign does not create the ponding or creation of water or divert the flow of water drainage

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).

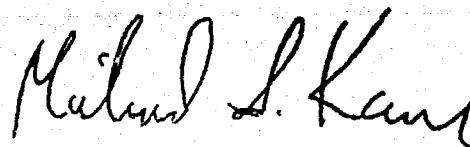
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a Request for 5.33 ft Width for proposed wall sign at 176 Windsor Highway in a PUD Zone (4-2-21.12) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: July 10, 2006

A handwritten signature in cursive script, reading "Michael S. Kaur". The signature is written in dark ink and is positioned above a horizontal line.

Chairman

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
OFFICE
845-563-4615**

MEMORANDUM

TO: LARRY REIS, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: OCTOBER 24, 2006
SUBJECT: ESCROW REFUND

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 374.51 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #06-35

NAME & ADDRESS:

**GREEN GARDEN - JOHNNY CHEN
176 WINDSOR HIGHWAY
NEW WINDSOR, NY 12553**

THANK YOU,

MYRA

L.R.10-24-06



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECORD OF CHARGES & PAYMENTS**



FILE #06-35 TYPE: SIGN TELEPHONE: 483-1043 (Sign Lang)

APPLICANT:

Green Garden, Johnny Chen
176 Windsor Highway
New Windsor, NY 12553

RESIDENTIAL:	\$ 50.00	CHECK # _____
COMMERCIAL	\$ 150.00	CHECK # <u>154</u>
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: COMMERCIAL \$500.00 CHECK # 155



<u>DISBURSEMENTS:</u>	<u>MINUTES</u>	<u>ATTORNEY</u>
	<u>\$7.00 / PAGE</u>	<u>FEE</u>

PRELIMINARY:	<u>2</u>	PAGES	\$ <u>14.00</u>	\$ <u>35.00</u>
2 ND PRELIMINARY:	—	PAGES	\$ _____	\$ _____
PUBLIC HEARING:	<u>4</u>	PAGES	\$ <u>28.00</u>	\$ <u>35.00</u>
PUBLIC HEARING:	—	PAGES	\$ _____	\$ _____

LEGAL AD: Publish Date: 06-27 \$ 13.49

TOTAL: \$ 55.49 \$ 70.00



ESCROW POSTED: \$ 500.00
LESS: DISBURSEMENTS: \$ 125.49

AMOUNT DUE: \$ _____

REFUND DUE: \$ 374.51

Cc:

L.R. 10-24-06

OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: May 9, 2006

APPLICANT: Sign Language Inc.
44 Noxon Rd.
Poughkeepsie, NY 12603

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 5/8/06

FOR : Patriot Plaza Associates

LOCATED AT: 176 Windsor Highway - Green Garden

ZONE: R-4 (P.U.D.) Sec/ Blk/ Lot: 4-2-21.12

COPY

DESCRIPTION OF EXISTING SITE: RETAIL SITE

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. 300-45 PERMITTED ACCESSORY SIGNS. 1 FAÇADE SIGN 2.5'x10' PERMITTED.
PROPOSED 1.5'x15.33' SIGN (GREEN GARDEN). A VARIANCE OF 5.33' WIDTH IS REQUIRED.


BUILDING INSPECTOR

	PERMITTED	PROPOSED OR AVAILABLE:	VARIANCE REQUEST:
ZONE: P.U.D. USE: 1) FAÇADE SIGN			
	2.5'x10'		
SIGN:			
FREESTANDING:			
HEIGHT:			
WIDTH:			
WALL SIGNS:	2.5x10'	1.5'x15.33'	5.33' WIDTH
TOTAL ALL SIGNS:			
FEET FROM ANY LOT LINE:			

cc: Z.B.A., APPLICANT, FILE, W/ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be re-inspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

MAY 08 2006

BUILDING DEPARTMENT

FOR OFFICE USE ONLY:

Building Permit #: 2006-452

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS
REQUIRED BEFORE PERMIT WILL BE ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises PATRIOT PLAZA ASSOCIATES L.L.C
Address 1 EXECUTIVE BLVD, YONKERS, N.Y. 10709 Phone 516-798-3578
Mailing Address SAME
Name of Architect _____
Address _____ Phone _____

Name of Contractor SIGN LANGUAGE INC

Address 44 NOKON ROAD, Poughkeepsie, N.Y. 12603

Phone 845-483-1043

State whether applicant is owner, lessee, agent, architect, engineer or builder BUILDER

If applicant is a corporation, signature of duly authorized officer.

Thomas A. W. M.

PRESIDENT

SIGN LANGUAGE INC.

(Name and title of corporate officer)

1. On what street is property located? On the _____ side of _____
(N,S,E or W)
and _____ feet from the intersection of _____

2. Zone or use district in which premises are situated R-4 Is property a flood zone? Y N

3. Tax Map Description: Section 4 Block 2 Lot 21.12

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy RETAIL b. Intended use and occupancy RETAIL

5. Nature of work (check if applicable) New Bldg ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other ☒ SIGN

6. Is this a corner lot? YES

7. Dimensions of entire new construction. Front _____ Rear _____ Depth _____ Height _____ No. of stories 1

8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____

Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____

Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use COMMERCIAL RETAIL

10. Estimated cost 2800. Fee \$ 50.00

ZONING BOARD

CASH

PAID

/ /
date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors Frank Liel & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(914) 563-4618
(914) 563-4693 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

Thomas A. Williams
(Signature of Applicant)

SLON LANGUAGE INC. 44 NOXON ROAD, ROCKY HILLS, CT 06067
(Address of Applicant)

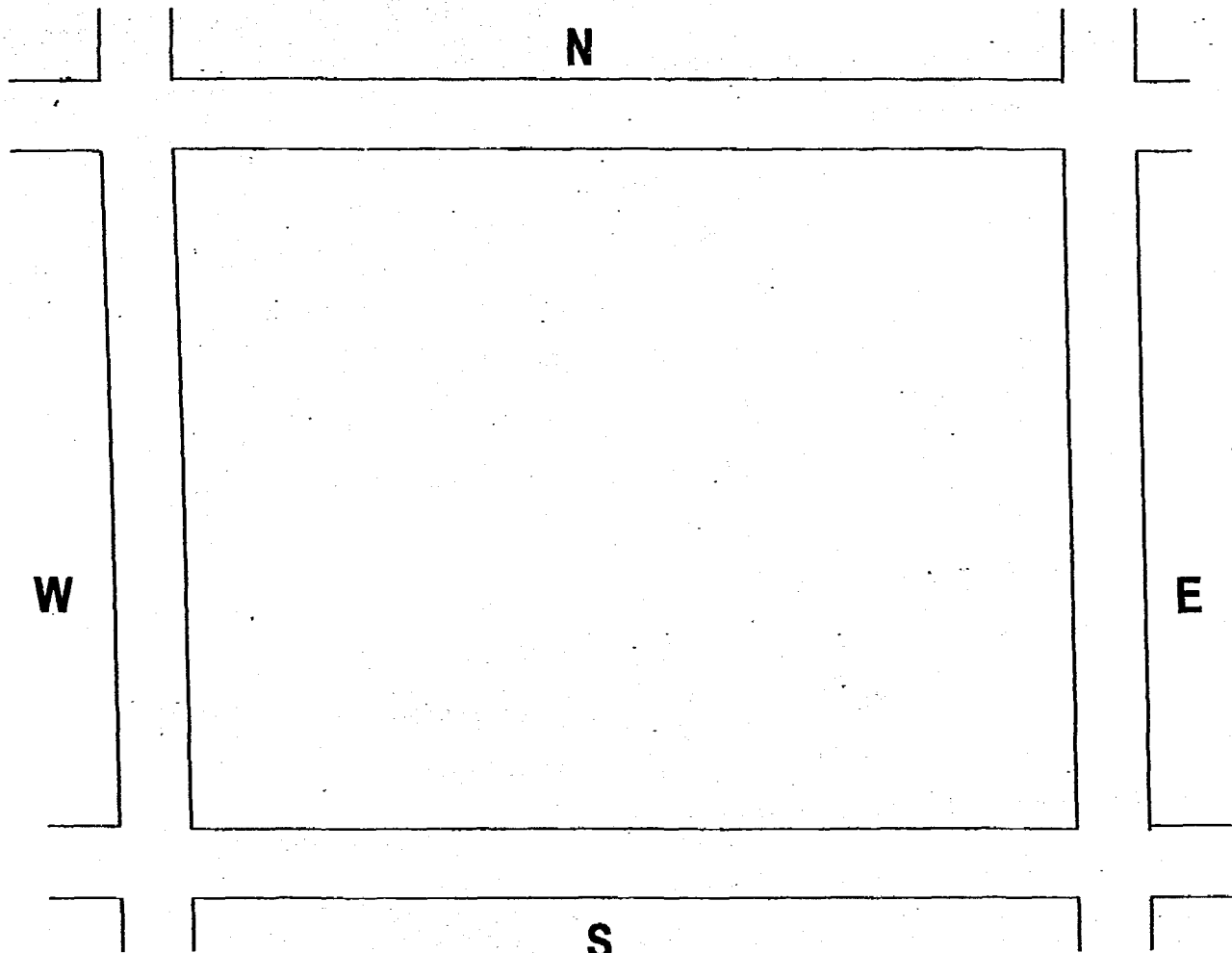
Joseph A. Williams
(Owner's Signature)

1 Executive Blvd, Yonkers, NY 10701
(Owner's Address)

PLOT PLAN

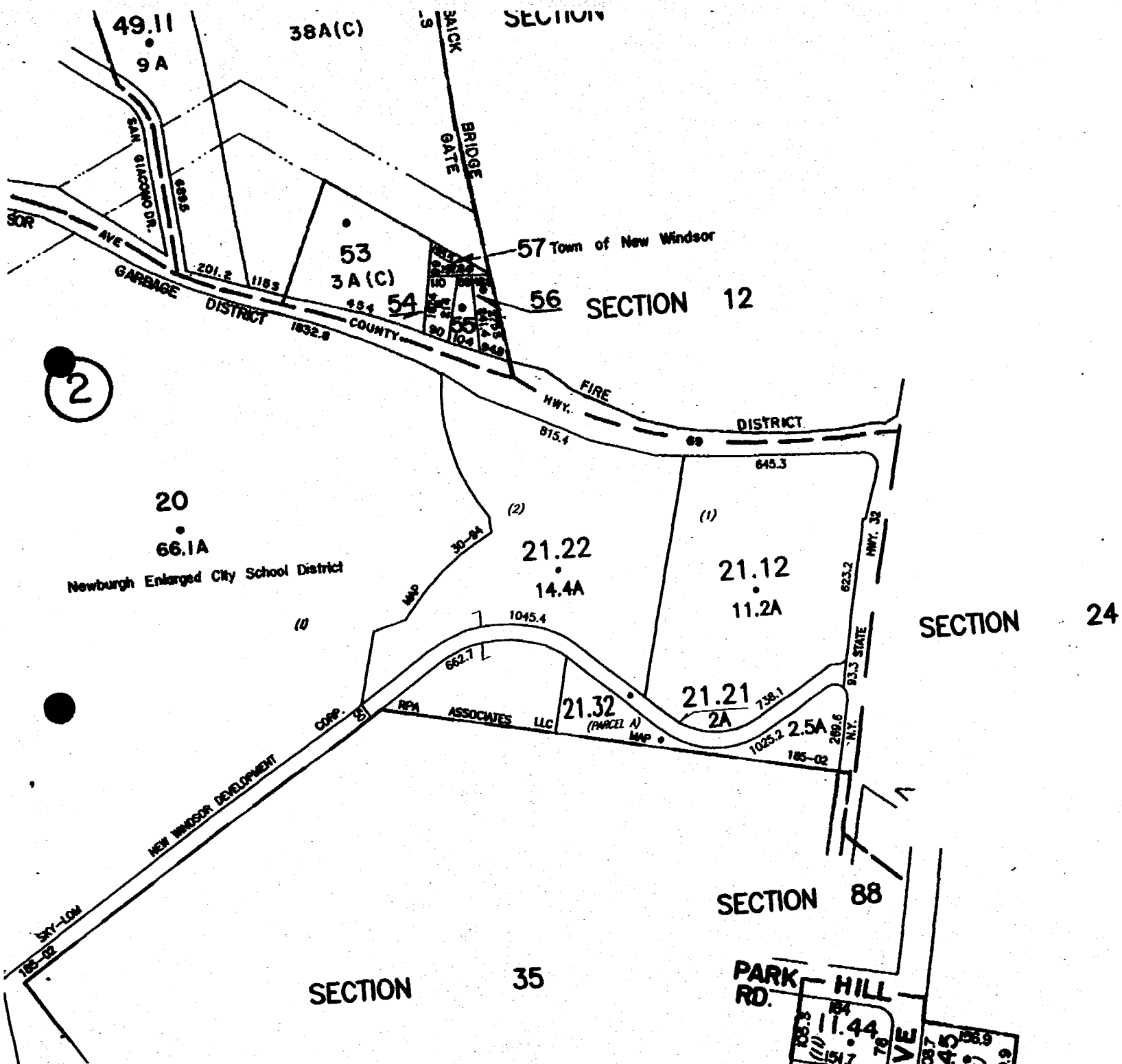
NOTE:

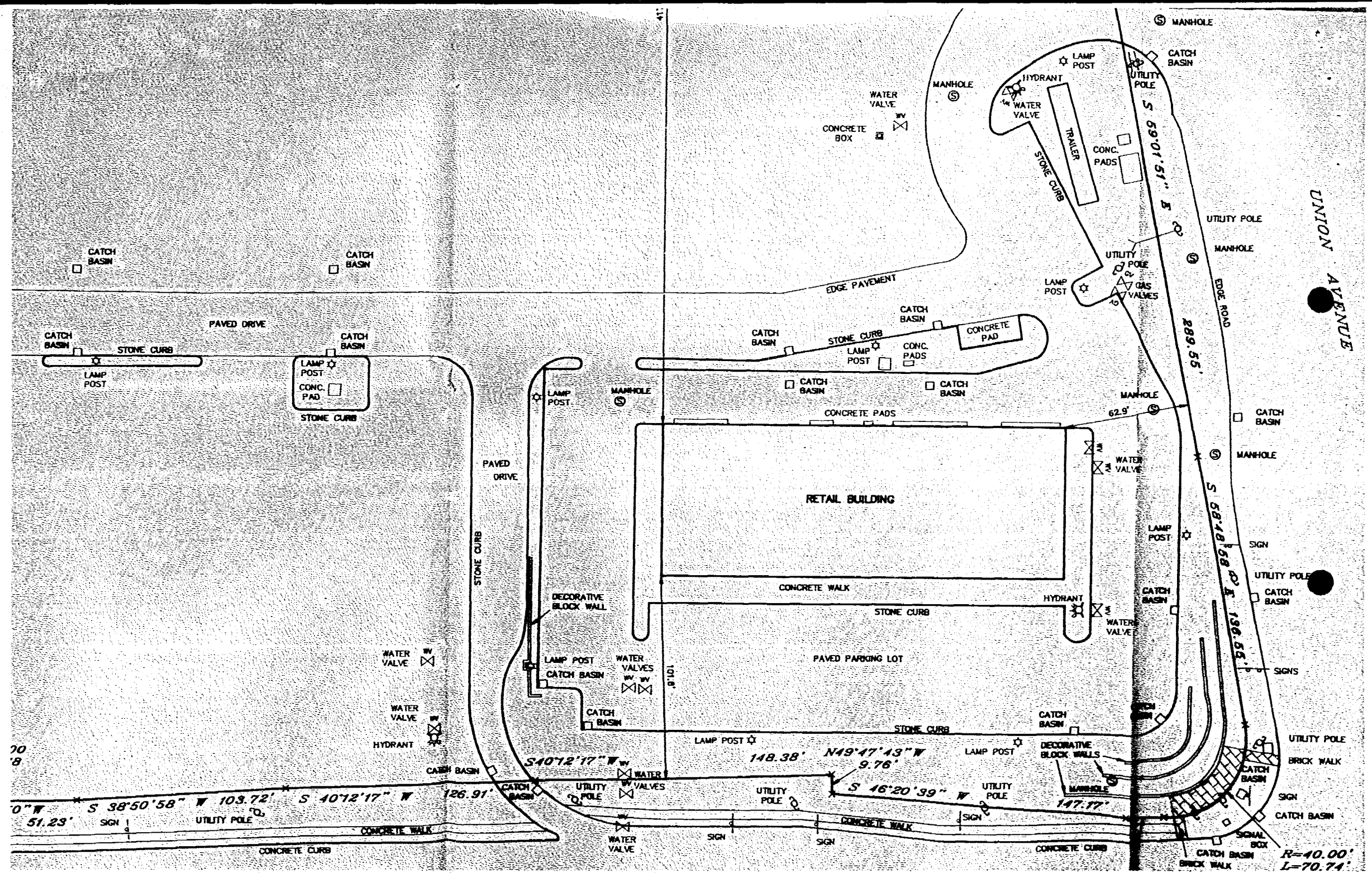
Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



CHAS

0-0000-000







18" 184"

GREEN GARDEN

INTERNALLY ILLUMINATED INDIVIDUAL
CHANNEL LETTERS WITH RED NEON,
WHITE LETTER RETURNS AND RACEWAY,
RED FACES & TRIM CAPS

X
APPROVED BY

DATE

PHONE
845-483-1043

FAX
845-483-0692



GREEN GARDEN

Address: NEW WINDSOR PLAZA

The Prices, Specifications, and Conditions as Described are
Satisfactory and are Hereby Accepted. You Are Authorized to do
the Work as Specified.

Date: 4/20/06

Phone:

**50% DEPOSIT REQUIRED ON ALL
WORK. BALANCE DUE ON
COMPLETION**

This design is the sole property of Sign Language Inc., and may not be reproduced in any manner without written permission

SIGN_LANGUAGE_(FOR_GREEN_GARDEN)_(06-35)

MS. GANN: Request for 5.33 ft. width for proposed wall sign at 176 Windsor Highway.

Mr. Tom Walsh appeared before the board for this proposal.

MR. WALSH: My name is Tom Walsh, my company is Sign Language, Inc. working for Green Garden in the Patriot Plaza.

MS. GANN: What's Green Garden, I'm sorry, what's that?

MR. WALSH: Chinese restaurant.

MS. GANN: Will the new sign be illuminated on the building?

MR. WALSH: Actually it's the same as the other signs that we had approved in the previous meeting, it's internally illuminated with neon.

MR. KRIEGER: But non-flashing?

MR. WALSH: Right.

MR. TORPEY: It's going to fit in that hole again?

MR. WALSH: Yes, it should show if you have a picture of it it's within that inset, it's basically the same height letters as the other letters as the Dollar Store.

MR. TORPEY: Yeah, I seen a couple of signs didn't go in, somebody has them stuck out like.

MR. WALSH: They're mounted on a raceway, well, you can't do that with the letters they're about five inches deep, raceway's another eight inches deep.

MR. TORPEY: It looked out of order because the rest of them are so nice in the holes.

MR. WALSH: Which one? No, they're all the same level.

MR. TORPEY: They're stuck out instead of inserted.

MR. WALSH: Well, the inset is only a half inch so it's impossible to make a letter that thin and plus with maintenance of the plaza if you direct mount letters and let's say the Green Garden moved out somebody else moved in you're going to have a fascia that's riddled with holes for the next person to come and it's going to look really shoddy after a while, so this is the cleanest install for maintenance, it's very easy maintenance for them.

MR. KRIEGER: Now, Mike, this would be in terms of length is this equal or less than what's allowed in the code?

MR. WALSH: Length it exceeds it by 5.33 feet but its overall square footage it's under what's allowed in the code, it's just that for every sign your code says you can have a 3 x 10 and it doesn't work well with a lot of architecture on certain buildings in the area.

MR. BABCOCK: I have advised my office that I want them to write up these on this building for the total size of the thing like we did the first one only because if he comes back to me and they want to become Yellow Garden they don't need a variance because if the sign fits within that indentation area I want to be able to let him put it up. So I think the variance should be for that size not for just what size he's putting up so if somebody changes their name you don't have to come through this process again, you just come to us.

MR. WALSH: What about future buildings?

MR. BABCOCK: That's what we're going to do, we're going to do the whole indentation every time they come for a variance and they should build their next building with the right size indentations then they wouldn't have to come here, that's what my answer would be. But that's their, I know what you're saying.

MR. WALSH: The only thing is with your restrictions of three foot by ten foot almost all channel letters will not fit within those parameters. The only one we got lucky on was Pizza Mia cause that name was so short but every single sign that's going in the plaza is within the square footage that you allow, it's just not the dimensions that--

MR. LUNDSTROM: Madam Chairwoman, Mike, on the application here, the description you have down for the wall signs is that basically for this particular one or will that cover any new or changed since that's going into that spot?

MR. BABCOCK: It's 2 1/2 x 10 is what they're allowed by code, the 1.5 x 15.33 is just for Green Garden.

MR. LUNDSTROM: So if this changes to Yellow Garden they have to come back?

MR. BABCOCK: That's right.

MR. LUNDSTROM: Just one question for the record are there other signs like this in the area?

MR. WALSH: Yes.

MR. LUNDSTROM: Just for the record.

MS. GANN: I'd like to open this up to the public. I see no one's here for this meeting so we're going to close the public portion of the meeting and ask Myra

July 10, 2006

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how many mailings we had.

MS. MASON: On June 26, I mailed out 48 envelopes and had no response.

MS. GANN: I'll accept a motion.

MR. LUNDSTROM: Madam Chairwoman, I will offer a motion that the application for Sign Language for Green Garden request for a 5.33 foot width for proposed wall sign at 176 Windsor Highway in a PUD zone be approved and authorized.

MR. TORPEY: Second it.

ROLL CALL

MR. LUNDSTROM	AYE
MR. TORPEY	AYE
MS. GANN	AYE

MS. GANN: Motion for adjournment?

MR. LUNDSTROM: So moved.

MR. TORPEY: Second it.

ROLL CALL

MR. LUNDSTROM	AYE
MR. TORPEY	AYE
MS. GANN	AYE

Respectfully Submitted By:

Frances Roth



THE SENTINEL

P.O. BOX 406
VAILS GATE, NY 12584

Invoice

Date	Invoice #
7/6/2006	7940

Bill To

TOWN OF NEW WINDSOR
555 UNION AVE
NEW WINDSOR, NY 12553

P.O. No.	Terms	Project
45362	Due on receipt	

Issue Date	Description	PCS/Units	Amount
6/27/2006	LEGAL ADS: SIGN LANGUAGE 06-35 1 AFFIDAVIT	9.49 4.00	9.49 4.00
<div>RECEIVED JUL 18 2006 TOWN OF NEW WINDSOR COMPTROLLER'S OFFICE</div>			
		Total	\$13.49

VISA, MASTERCARD, AMERICAN EXPRESS PAYMENTS ACCEPTED, CALL (845)
562-1218

PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
 PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:
 Appeal No. 06-35
 Request of SIGN LANGUAGE (for Green Garden) for a VARIANCE of the Zoning Local Law to Permit:
 Request for 5.33' Width for proposed wall sign at 176 Windsor Highway (Green Garden) in a P.U.D. Zone (4-2-21.12)
 PUBLIC HEARING will take place on JULY 10, 2006 at the New Windsor Town Hall, 225 Union Avenue, New Windsor, New York beginning at 7:30 P.M.
 Michael J. Green, Chairman

State of New York
 County of Orange, ss:
 Patricia Quill being duly sworn disposes and says that she is The Supervisor of Legal Dept. of the E.W. Smith Publishing Company; Inc. Publisher of The Sentinel, a weekly newspaper published and of general circulation in the Town of New Windsor, Town of Newburgh and City of Newburgh and that the notice of which the annexed is a true copy was published 1x in said newspaper, commencing on the 27 day of June A.D., 2006 and ending on the 29 day of June A.D. 2006

Patricia Quill

Subscribed and shown to before me this 10th day of July, 2006

Deborah Green

Notary Public of the State of New York
 County of Orange.

DEBORAH GREEN
 Notary Public, State of New York
 Qualified in Orange County
 24034085
 Commission Expires July 15, 2007

My commission expires _____

June 12, 2006

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SIGN_LANGUAGE_(FOR_GREEN_GARDEN)(06-35)

Mr. Tom Walsh appeared before the board for this proposal.

MR. KANE: Request for 5.33 ft. width for proposed wall sign at 176 Windsor Highway. Tell us what you want to do.

MR. WALSH: Similar to the two other signs in front of you for the public hearing this is Green Garden which will be in one of the other units and in the plaza as shown on the photograph showing the drawing or showing the sign, it's in the indenture over the frontage of the restaurant in front. Here we're looking for 5.3 foot variance in width only, it's well under the height requirements and add up the square footage with what's allowed it's under that.

MR. KANE: Any illumination in the light?

MR. WALSH: Internal.

MR. KANE: Non-flashing?

MR. WALSH: Correct.

MR. KANE: Let the record show we have a picture with the sign kind of imposed on the building and it's not overly big.

MR. LUNDSTROM: Are the letters in the sign going to be comparable with the letters in the other signs on the building?

MR. WALSH: Are they similar in--

MR. LUNDSTROM: Similar in size?

MR. WALSH: Yes.

June 12, 2006

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MR. KANE:— They're all fitting in those line indents.

MR. WALSH: That's right.

MR. KANE: Good. Any other questions?

MS. LOCEY: I'll offer a motion to schedule a public hearing for the application of Sign Language for Green Garden for his variance, requested variance for a 5.3 foot width for proposed wall sign at 176 Windsor Highway in a PUD zone.

MR. LUNDSTROM: Mr. Chair, I will second that motion.

ROLL CALL

MR. LUNDSTROM	AYE
MR. LOCEY	AYE
MR. TORPEY	AYE
MR. KANE	AYE

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR
COUNTY OF ORANGE: STATE OF NEW YORK**

SIGN LANGUAGE (for Green Garden)

#06-35

X

STATE OF NEW YORK)
) SS:
COUNTY OF ORANGE)


That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 26TH day of JUNE, 2006, I compared the (48) addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason
Myra L. Mason, Secretary

26th day of June, 2006


Notary Public

JENNIFER MEAD
Notary Public, State Of New York
No. 01ME6050024
Qualified In Orange County
Commission Expires 10/30/2024

Town of New Windsor

Town Hall
555 Union Ave.

New Windsor, NY 12553

TEL: (845) 563-4623 / FAX: (845) 563-4693

PURCHASE ORDER**45362****SENTIN**

DATE	6/22/2006
PAGE NO.	1
CHECK NO.	
TAX EXEMPT NO. 14-6002338	

SIGN & RETURN TO ADDRESS ABOVE

VENDOR	SHIP TO
THE SENTINEL PO BOX 406 VAILS GATE, NY 12584	Zoning Department Town of New Windsor 555 Union Avenue New Windsor, NY 12553 Attn: Myra Mason

SPECIAL INSTRUCTIONS**MM**

ITEM NO.	ITEM DESCRIPTION	QUANTITY	UNIT PRICE	AMOUNT
1	PUB HEAR NOTICE: 6/27 'SIGN LANG (GREEN GARDEN) 10-1070-108010-4-4131	1		

NO ORDER VALID UNLESS SIGNED BELOW**TOTAL**

DEPARTMENT DIRECTOR

BUSINESS ADMINISTRATOR

DEPARTMENTAL CERTIFICATION

I, having knowledge of the facts, certify that the materials and supplies have been received or the services rendered; said certification being based on signed delivery slips or other reasonable procedures.

SIGNATURE

DATE

COMPTROLLER

VENDOR CERTIFICATION AND DECLARATION

I do solemnly declare and certify under the penalties of the law that the within bill is correct in all its particulars; that the articles have been furnished or services rendered as stated therein; that no bonus has been given or received by any person or persons within the knowledge of this claimant in connection with the above claim; that the amount therein stated is justly due and owing; and that the amount charged is a reasonable one.

X

VENDOR SIGN HERE

NAME (PRINT OR TYPE)

OFFICIAL POSITION

VENDOR SOCIAL SECURITY NO. OR TAX I.D. NO.

VENDOR - SIGN AT X AND RETURN WITH INVOICE



RESULTS OF Z.B.A. MEETING OF: June 3, 2006

PROJECT: Greer Garden (Sign Language) ZBA # 06-35
P.B.# _____



USE VARIANCE: _____ NEED: EAF _____ PROXY _____

LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

APPROVED: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) Lo S) Lu VOTE: A 4 N 0

~~GANN~~ _____
LUNDSTROM A
LOCEY A
TORPEY A
KANE A

CARRIED: Y ☒ N _____

PUBLIC HEARING: _____ STATEMENT OF MAILING READ INTO MINUTES _____

VARIANCE APPROVED: M) _____ S) _____ VOTE: A _____ N _____.

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____

CARRIED: Y _____ N _____.

Interior Light - Non Flashing

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 06-01-06

FOR: 06-35

FROM:

GREEN GARDEN - JOHNNY CHEN
176 WINDSOR HIGHWAY
NEW WINDSOR, NY 12553

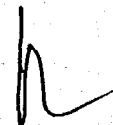
CHECK FROM:
SAME

CHECK NUMBER: 155

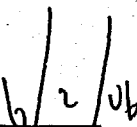
TELEPHONE: 561-8888

AMOUNT: 500.00

RECEIVED AT COMPTROLLER'S OFFICE BY:



NAME



DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU

TOWN OF NEW WINDSOR **REQUEST FOR NOTIFICATION LIST**

PROJECT NUMBER: ZBA# **06-35** P.B. # _____

APPLICANT NAME: **GREEN GARDEN - JOHNNY CHEN**

PERSON TO NOTIFY TO PICK UP LIST:

Sign Language Inc. (For GreenGarden)

44 Noxon Road, Suite #4

Poughkeepsie, NY 12603

TELEPHONE: 483-1043 (THOMAS WALSH)

TAX MAP NUMBER: SEC. 4 BLOCK 2 LOT 21.12
SEC. _____ BLOCK _____ LOT _____
SEC. _____ B LOCK _____ LOT _____

PROPERTY LOCATION: **176 WINDSOR HIGHWAY**
NEW WINDSOR, NY

LIST OF PROPERTY OWNERS WITHIN 500 FT. FOR SITE PLANS/SUBDIVISION _____
(IS NOT PREPARED ON LABELS)

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: _____

SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET _____

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET)

AGRICULTURAL DISTRICT:
(ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500'
OF SITE PLAN OR SUBDIVISION PROJECT)

NEW WINDSOR ZONING BOARD **XXX**

LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT XXX

AMOUNT OF DEPOSIT: **25.00** CHECK NUMBER: **157**

TOTAL CHARGES:



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-3101

Assessors Office

June 5, 2006

Green Garden
c/o Sign Language, Inc.
44 Noxon Road – Suite 4
Poughkeepsie, NY 12603

Re: 4-2-21.12 ZBA#: 06-35 (48)

To Whom It May Concern:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$65.00, minus your deposit of \$25.00.

Please remit the balance of \$40.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley, IAO
Sole Assessor

JTW/tmp
Attachments

CC: Myra Mason, Zoning Board

Section 88

Windsor Crest Homeowners Assoc.
c/o Archway Management, Inc.
P.O. Box 454
Central Valley, NY 10917
12-1-23
Ofer Avgush
4 Hillside Avenue
New Windsor, NY 12553

12-1-28 & 29
Martine Dacilas Laguerre
15 Hillside Avenue
New Windsor, NY 12553

12-1-33
Wilma & Cory Anzalone
27 Hillside Avenue
New Windsor, NY 12553

12-1-46.1
Jonle Enterprises, Inc.
354 Union Avenue
New Windsor, NY 12553

12-2-2 & 3
David Sarinsky
298 Union Avenue
New Windsor, NY 12553

24-1-1-4, 24 & 25
Amelia Baez
Almalina Ledesma
175 Windsor Highway
New Windsor, NY 12553

24-1-7.1
Joel & Nancy Barker
187 Windsor Highway
New Windsor, NY 12553

24-1-14 & 15
Melissa DiGiacomo
191 Windsor Highway
New Windsor, NY 12553

24-2-1
Joan Thiele
222 Daniher Avenue
New Windsor, NY 12553

Section 92

Patriot Ridge Condo Assoc.
c/o River Management Att: Lizzie
P.O. Box 5309
Poughkeepsie, NY 12602
12-1-24
Louis & Kathleen Antonelli
3 Hillside Avenue
New Windsor, NY 12553

12-1-30
Erik Cutroneo
19 Hillside Ave - Apt 3
New Windsor, NY 12553

12-1-42
Frank & Barbara Antonelli
360 Union Avenue
New Windsor, NY 12553

12-1-48
Central Hudson Gas & Electric
284 South Avenue
Poughkeepsie, NY 12602

12-2-4
Gertrude Sarinsky
294 Union Avenue
New Windsor, NY 12553

24-1-5
John & Rose Mitchell
228 James Street
New Windsor, NY 12553

24-1-11 & 16
John Naclerio
Cathleen Perren
189 Windsor Highway
New Windsor, NY 12553

24-1-21
Xavier Garrett
181 Windsor Highway
New Windsor, NY 12553

24-2-2
Jeanette & Joseph Martinez
224 Daniher Avenue
New Windsor, NY 12553

4-2-21.21 & 4-2-21.32
RPA Assoc., LLC
AVR-RPA Development, LLC
c/o AVR Realty Co.
1 Executive Blvd
Yonkers, NY 10701

12-1-27 & 49
John Antonelli
Frank Antonelli, Sr.
4 Cedar Court
Palm Coast, FL 32137

12-1-31 & 32
Nicholas Cracolici
23 Hillside Avenue
New Windsor, NY 12553

12-1-44.1
Ruth & Richard Cecchetelli
356 Union Avenue
New Windsor, NY 12553

12-2-1
Orwest New Windsor, Inc.
c/o Ralph DiBart
400 Central Park West - #7R
New York, NY 10025

12-2-5
David & Jacie Sarinsky
298 Union Avenue
New Windsor, NY 12553

24-1-6
Edith Sambells
230 James Street
New Windsor, NY 12553

24-1-13.1
Elaine & Michael Veneziali, Sr.
233 Wall Place
New Windsor, NY 12553

24-1-22.1
Javier Sabillon
179 Windsor Highway
New Windsor, NY 12553

24-2-3
William & Marie Murphy
228 Daniher Avenue
New Windsor, NY 12553

24-2-6

William Adams
Marion Adams
232 Daniher Avenue
New Windsor, NY 12553

24-2-10

Anjel & Laura Perez
246 Daniher Avenue
New Windsor, NY 12553

24-2-15

Truman Adams
13 Boulevard
Cornwall-On-Hudson, NY 12520

24-3-18

Robert & Margaret Ponesse
246 Parkway Drive
New Windsor, NY 12553

24-3-21

Robert & Lyndsay Hodge
197 Windsor Highway
New Windsor, NY 12553

24-3-23

Christine Feroli
Helen Macy
234 Wall Place
New Windsor, NY 12553

24-2-8

Tracy Bielenberg
Giuseppe DiBella
238 Daniher Avenue
New Windsor, NY 12553

24-2-11 & 12

Audrey & Michael Fusco, Jr.
245 James Street
New Windsor, NY 12553

24-2-16, 17 & 18

Diane & Donald McKee, Jr.
227 James Street
New Windsor, NY 12553

24-3-19

Angelo & Carmela Schettini
248 Parkway Drive
New Windsor, NY 12553

24-3-22.1

John Terrizzi
P.O. Box 4735
New Windsor, NY 12553

24-3-24

Wayne Steele
236 Wall Place
New Windsor, NY 12553

24-2-9

Cheryl Ann McCann
242 Daniher Avenue
New Windsor, NY 12553

24-2-13 & 14

William & Joann Nyborg
239 James Street
New Windsor, NY 12553

24-3-1

Genevieve Thompson
293 Union Avenue
New Windsor, NY 12553

24-3-20

Anna Cleaves
254 Parkway Drive
New Windsor, NY 12553

24-3-22.2

Robert Parker, Sr.
232 Wall Place
New Windsor, NY 12553

24-9-1

Frank AJ Manthey, JR., Ruth Curley
Robert Manthey, Janet Sullivan
205 Windsor Highway
New Windsor, NY 12553



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4689

ZONING BOARD OF APPEALS

June 1, 2006

Sign Language Inc. (For GreenGarden)
44 Noxon Road, Suite #4
Poughkeepsie, NY 12603

SUBJECT: REQUEST FOR VARIANCE #06-35

Dear Sir:

This letter is to inform you that you have been placed on the June 12th, 2006 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

Green Garden
176 Windsor Highway
New Windsor, NY

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**



APPLICATION FOR VARIANCE

APRIL 21, 2006
Date

Application Type: Use Variance ☐ Area Variance ☐
Sign Variance ☒ Interpretation ☐

I. Owner Information: Phone Number: (516) 798-3578
PATRIOT PLAZA ASSOCIATES, L.L.C. Fax Number: (516) 798-5844
(Name)
1 EXECUTIVE BLVD., YONKERS, NEW YORK 10701
(Address)

II. Applicant: Phone Number: (845) 561-8888
GREEN GARDEN, JOHNNY CHEN Fax Number: ()
(Name)
176 WINDSOR HIGHWAY NEW WINDSOR, NY.
(Address)

III. Forwarding Address, if any, for return of escrow: Phone Number: ()
Fax Number: ()
(Name)
(Address)

IV. Contractor/Engineer/Architect/Surveyor/: Phone Number (845) 483-1043
Fax Number: (845) 483-0692
SIGN LANGUAGE INC.
(Name)
44 NOKON ROAD, SUITE #4 POUGHKEEPSIE, NY. 12603
(Address)

V. Property Information:

Zone: R-4 Property Address in Question: 176 WINDSOR HIGHWAY
Lot Size: _____ Tax Map Number: Section 4 Block 2 Lot 21.12
a. What other zones lie within 500 feet? R4- R-5 NC
b. Is pending sale or lease subject to ZBA approval of this Application? NO
c. When was property purchased by present owner? From BPA 1-1-05
d. Has property been subdivided previously? YES If so, When: 8/29/2002
e. Has an Order to Remedy Violation been issued against the property by the
Building/Zoning/Fire Inspector? NO
f. Is there any outside storage at the property now or is any proposed? NO

****PLEASE NOTE:****

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

① THERE WILL NOT BE AN UNDESIRABLE CHANGE TO THE CHARACTER OF THE NEIGHBORHOOD OR A DETRIMENT TO NEARBY PROPERTIES. DUE TO THE ARCHITECTURE OF THE BUILDING THE INSET ABOVE EACH STORE FRONT ALLOWS FOR A MORE NARROW & WIDER SIGN. UTILIZING CHANNEL LETTERS CONSISTANTLY THROUGH OUT THE PLAZA ACHIEVES MORE OF AN UPSCALE LOOK. (2) THE SIGNS ARE LESS THAN THEN THE SQUARE FOOTAGE ALLOWED BY TOWN CODE. THE HEIGHT & LENGTH ARE APPROPRIATE TO THE BUILDINGS DESIGN. (3) THE AREA VARIANCE IS NOT SUBSTANTIAL, THE SIGNS ARE WITHIN THE SQUARE FOOTAGE ALLOWED. (4) THIS TYPE OF SIGN (CHANNEL LETTERS) ARE COMMONLY USED IN SURROUNDING SHOPPING CENTERS & PLAZAS, THEY CREATE A CLEAN & LESS CLUTTERED LOOK.

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

**OWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

X. SIGN VARIANCE:

- (a) Variance requested from New Windsor Zoning Local Law,
Section _____, Supplementary Sign Regulations

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign #1	2'2" x 10'	18" x 184"	5.33' WIDTH
Sign #2			
Sign #3			
Sign #4			

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversized signs.

INTERNALLY ILLUMINATED INDIVIDUAL CHANNEL LETTER SIGN MOUNTED
ON A RACEWAY, THE BUILDINGS FACIA INSET ALLOWS FOR 18" TALL
LETTERS, THEREFORE WE CANNOT UTILIZE THE FULL 30" TALL
ALLOWANCE, BUT INSTEAD GO WIDER WITH THE SIGN TO CREATE
A MORE UNIFORM LOOK.

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building and freestanding signs 0?

XI. INTERPRETATION:

- (a) Interpretation requested of New Windsor Zoning Local Law,
Section _____

- (b) Describe in detail the proposal before the Board:

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

XII. ADDITIONAL COMMENTS:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
-
-

XIII. ATTACHMENTS REQUIRED:

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: (each payable to the TOWN OF NEW WINDSOR)
- ☐ One in the amount of \$ 300.00 or 500.00 (escrow)
- ☐ One in the amount of \$ 50.00 or 150.00 (application fee)
- ☐ One in the amount of \$ 25.00 (Public Hearing List Deposit)

- ☐ Photographs of area that variances is being requested for showing relationship to property lines (5 or 6) from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER - PLEASE SUBMIT FOUR (4) SETS OF THE PHOTOS.)

*

XIV. AFFIDAVIT.

STATE OF NEW YORK)

) SS.: Campy
COUNTY OF ORANGE) Suffolk

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

5 day of May 2006.

Maureen Margolies
MAUREEN MARGOLIES
Notary Public, State of New York
Signature and Stamp of Notary County
Qualified in Suffolk County
Commission Expires 08/2007

Joseph Campagnolo
Owner's Signature (Notarized)

Joseph Campagnolo
Owner's Name (Please Print)
Rep

Applicant's Signature (If not Owner)

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐

PROJECT I.D. NUMBER

617.21

SEQR

Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR GREEN GARDEN	2. PROJECT NAME GREEN GARDEN
3. PROJECT LOCATION: Municipality NEW WINDSOR County ORANGE	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) 176 WINDSOR HIGHWAY NEW WINDSOR	
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: FABRICATION & INSTALLATION OF CHANNEL LETTERS	
7. AMOUNT OF LAND AFFECTED: Initially <u>0</u> acres Ultimately <u>0</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If No, describe briefly NEED VARIANCE FOR SIZE	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe: SHOPPING PLAZA	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals VARIANCE WITH TOWN OF NEW WINDSOR	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: THOMAS WALSH PRES SIGN LANGUAGE INC	Date: 4/20/2006
Signature: Thomas Walsh PRES. SIGN LANGUAGE INC.	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

APPLICANT/OWNER PROXY STATEMENT
(for professional representation)

for submittal to the:
TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

PATRIOT PLAZA ASSOCIATES, LLC, deposes and says that he resides
(OWNER)

at 1 EXECUTIVE BLVD, YONKERS, NEW YORK in the County of _____
(OWNER'S ADDRESS) 10701

and State of NEW YORK and that he is the owner of property tax map

(Sec. _____ Block _____ Lot _____)
designation number (Sec. _____ Block _____ Lot _____) which is the premises described in
the foregoing application and that he authorizes:

(Applicant Name & Address, if different from owner)


THOMAS WALSH PRESIDENT SIGN LANGUAGE INC 44 NOXON ROAD, Poughkeepsie NY.
(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: 5/5/06

Sworn to before me this: 5 day of May 2006

Joseph Campagnolo Came
before me

**

Owner's Signature (MUST BE NOTARIZED)
Rep

Applicant's Signature (If different than owner)

Thomas Walsh PRESIDENT SIGN LANGUAGE INC.
Representative's Signature

MAURIZIO MARGOLIES
Notary Public, State of New York
Signature and Stamp of Notary No. 01MA6098267

Qualified in Suffolk County

Commission Expires 01/01/2007
THIS FORM IS TO BE COMPLETED ONLY IF SOMEONE OTHER THAN THE PROPERTY OWNER WILL BE APPEARING AS REPRESENTATION OF THE OWNER AT THE ZBA MEETINGS.

**** PLEASE NOTE:**

ONLY OWNER'S SIGNATURE MUST BE NOTARIZED.

COMPLETE THIS PAGE ☐

STATE OF NEW YORK
WORKERS' COMPENSATION BOARD

CERTIFICATE OF NYS WORKERS' COMPENSATION INSURANCE COVERAGE

1a. Legal Name and address of Insured (Use street address only) SIGN LANGUAGE INC 44 KNOXON ROAD SUITE 2 POUGHKEEPSIE, NY 12601- <i>Work Location of Insured (Only required if coverage is specifically limited to certain locations in New York State, i.e. a Wrap-Up Policy)</i>	1b. Business Telephone Number of Insured (845) 483-1043 1c. NYS Unemployment Insurance Employer Registration Number of Insured 10916128 1d. Federal Employer Identification Number of Insured 14 - 1793533
2. Name and Address of the Entity Requesting Proof of Coverage (Entity Being Listed as the Certificate Holder) TOWN OF NEW WINDSOR 555 UNION AVENUE NEW WINDSOR, NY 12553	3a. Name of Insurance Carrier GUARD INSURANCE 3b. Policy Number of Entity Listed in box "1a": SIWC643061 3c. Policy effective period: 06/28/05 to 06/28/06 3d. The proprietor, Partners or Executive Officers are: <input type="checkbox"/> included (Only check box if all partners/officers included) <input checked="" type="checkbox"/> all excluded or certain partners/officers excluded 3e. Demolition is: (Definition of Demolition on Reverse) <input type="checkbox"/> included. <input checked="" type="checkbox"/> excluded.

This certifies that the insurance carrier indicated above in box "3" insures the business referenced above in box "1a" for workers' compensations under the New York State Workers' Compensation Law. (To use this form, New York (NY) must be listed under Item 3A on the INFORMATION PAGE of workers' compensation insurance policy). The Insurance Carrier or its licensed agent will send this Certificate of Insurance to the entity listed above as the certificate holder in box "2".

The Insurance Carrier will also notify the above certificate holder within 10 days: IF a policy is canceled due to nonpayment of premiums or within 30 days IF there are reasons other than nonpayment of premiums that cancel the policy or eliminate the insured from the coverage indicated on this Certificate. (These notices may be sent by regular mail.) Otherwise this Certificate is valid for a maximum of one year after this form is approved by the insurance carrier or its licensed agent.

Please Note: Upon the cancellation of the workers' compensation policy indicated on this form, if the business continues to be named on a permit, license or contract issued by a certificate holder, the business must provide that certificate holder with a new Certificate of Workers' Compensation Coverage or other authorized proof that the business is complying with the mandatory coverage requirements of the New York State Workers' Compensation Law.

Under penalty of perjury, I certify that I am an authorized representative or licensed agent of the insurance carrier referenced above and that the named insured has the coverage as indicated on this form.

Approved by: Robert McBurney

(Print name of authorized representative or licensed agent of insurance carrier)

Approved by: 

(Signature)

04/06/06

(Date)

Title: Insurance Services Director

Telephone Number of authorized representative or licensed agent of insurance carrier:

877-266-6850

Please Note: Only insurance carriers and their licensed agents are authorized to issue the C-105.2 form. Insurance brokers **NOT** authorized to issue it.

Section 57. Restriction on issue of permits and the entering into contracts unless compensation is secured.

1. The head of a state or municipal department, board, commission or office authorized or required by law to issue any permit for or in connection with any work involving the employment of employees in a hazardous employment defined by this chapter, and notwithstanding any general or special statute requiring or authorizing the issue of such permits, shall not issue such permit unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that compensation for all employees has been secured as provided by this chapter. Nothing herein, however, shall be construed as creating any liability on the part of such state or municipal department, board, commission or office to pay any compensation to any such employee if so employed.

2. The head of a state or municipal department, board, commission or office authorized or required by law to enter into any contract for or in connection with any work involving the employment of employees in a hazardous employment defined by this chapter, notwithstanding any general or special statute requiring or authorizing any such contract, shall not enter into any such contract unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that compensation for all employees has been secured as provided by this chapter.

Definition of Demolition (Box "3c." on the reverse side of this form)

A building wracking or demolition is one where a building, chimney or steeple is razed, or where a floor, exterior wall or roof is removed. If the contract involves only the removal of interior walls, partitions or the facing only of any exterior wall, it is not considered demolition.

Out-of-State Companies Working in NYS -- NYS Workers' Compensation and Disability Benefits Requirements for Permits, Licenses or Contracts issued by NYS Government Entities

Generally, employers must have a workers' compensation policy or a combination of policies that cover each state in which they employ permanent employees to cover on-the-job accidents and disabilities. As you are probably aware, certain insurance carriers write policies that cover multiple states. "Riders" found under sections 3A and 3C on the Information Page of the policy specify the states of coverage. In addition, the operations covered in each state are identified in attachments to the policy.

In addition to any other state's workers' compensation coverages, an out-of-state employer needs to be specifically covered for NYS workers' compensation insurance when there are "sufficient contacts" between that employer and the state. While there is no single determinative factor, any of the following criteria could be the basis for finding "sufficient contacts" requiring New York coverage:

- ♦ a physical location within New York State;
- ♦ \$50,000 in payroll during a calendar year in New York State;
- ♦ one or more employees (including subcontractors) with a primary work location or hired within New York State; or
- ♦ employees (including subcontractors) working in New York State for more than 90 days during a calendar year.

If an out-of-state employer meets any of the above criteria, it is required to carry a New York State workers' compensation policy. When New York is listed in **Item 3A** on the Information Page of an employer's workers' compensation insurance policy, the employer is fully covered under the NYS Workers' Compensation Law. If insured through a private insurance carrier, the out-of-state employer must file a C-105.2 -- Certificate of Workers' Compensation Insurance (the business' insurance carrier will send this form to the government entity upon request). **PLEASE NOTE:** The New York State Insurance Fund provides its own version of this form, the U-26.3. If this out-of-state employer is legally, fully self-insured in New York State, the out-of-state employer must file a SI-12 -- Certificate of Workers' Compensation Self-Insurance (the business calls the Board's Self-Insurance Office at 518-402-0247). If the out-of-state employer is participating in group self-insurance, the out-of-state employer must file a GSI-105.2 -- Certificate of Participation in Worker's Compensation Group Self-Insurance (the business' Group Self-Insurance Administrator will send this form to the government entity upon request).

If an out-of-state employer does not meet any of the above criteria and has New York (NY) listed in **Item 3C** on the Information Page of its workers' compensation insurance policy (the Other States Insurance section), NYS specific coverage is not required and the employer may be able to use its own state's workers' compensation coverage by filing a WC/DB-101 form. [The out-of-state employer's employees will be covered under NY benefits when working in New York by having NY listed in **Item 3C** on the Information Page of the workers' compensation insurance policy (the Other States Insurance section).]

ACORD CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
01/24/2006

PRODUCER
LoVullo Associates, Inc.
6450 Transit Road
Depew, NY 14043

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED
Sign Language, Inc.
44 Noxon Road, Suite 4
Poughkeepsie NY 12601

INSURERS AFFORDING COVERAGE
INSURER A: Nautilus Insurance Company 17370
INSURER B:
INSURER C:
INSURER D:
INSURER E:

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

ITEM NO.	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR GEN. AGGREGATE LIMIT AMOUNTS PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO. <input type="checkbox"/> LOC	NC420536	05/20/05	05/20/06	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (EA OCCUR) \$ 1,000,000 MED. EXP. (ANYONE PERSON) \$ 50,000 PERSONAL & ADV. INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP. PROP. AGG. \$ 1,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> NON-OWNED AUTOS <input type="checkbox"/> Hired Autos <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT (EA OCCUR) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC \$ AGG \$
	EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE <input type="checkbox"/> RETENTION				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTIAL/JOINT/JOINTIVE OR NONMEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				<input type="checkbox"/> WC STAT. <input type="checkbox"/> TORT LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	OTHER Property BRP EDP	NC420536	05/20/05	05/20/06	Ded: \$1000 \$115,000 \$ 30,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

CERTIFICATE HOLDER

Town of New Windsor
555 Union Avenue
New Windsor NY 12553

ACORD 25 (2004/06)

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL endeavor TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER. FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

Leonard V. Sothello

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